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January 24, 2020

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) concerning a sealed filing made by Saudi Arabia today in response to the sealed filings made by the Plaintiffs’ Executive Committees (“Plaintiffs”) on January 17, 2020, which relate to the sealed Opinion and Order issued by the Court on January 3, and which incorporate a motion for reconsideration, a request to supplement the record, and objections under Rule 72(a).

As the Court is aware from previous letters, the parties have contested whether leave of Court is required for a response to Rule 72(a) objections, and it is Saudi Arabia’s position that no leave is required. *See* ECF Nos. 4753, at 1-2 & n.*. Because the Rule 72(a) response is a small part of today’s filing, and because the filing is being made without a request for extension of any deadline, we have not sought advance permission in this instance. To the extent necessary, Saudi Arabia respectfully requests that the Court accept today’s filing in its entirety.

Saudi Arabia’s filing contains information subject to the Privacy Act and Protective Order for FBI Documents, ECF No. 4255, and also contains information that would properly be redacted under this Court’s Order dated July 22, 2019, ECF No. 4696, because it would reveal the contents of documents subject to the Vienna Convention on Diplomatic Relations. Consistent with this Court’s guidance, ECF No. 5307, Saudi Arabia is filing a signed original copy with the Clerk’s Office.

Copies of Saudi Arabia’s filing (clean and with highlighted proposed redactions) are being sent today by e-mail to chambers and to counsel for Plaintiffs, the United States, and Dallah Avco. A copy is also being sent overnight to Judge Daniels.

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Respectfully submitted,

/s/ Michael K. Kellogg

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: The Honorable George B. Daniels (via facsimile)
All MDL Counsel of Record (via ECF)